

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	Case No. 04-CR-10298-DPW
)	
v.)	
)	
MARKO BOSKIC)	
_____)	

**DEFENDANT MARKO BOSKIC'S MOTION IN LIMINE TO EXCLUDE
VIDEO OF GENERAL MLADIC**

Defendant Marko Boskic hereby moves this Court, pursuant to Fed. R. Evidence 403, to exclude the videotape of Serbian General Mladic speaking to Muslim prisoners on July 13, 1995. According to the government, Mladic's speech was captured on videotape by a television crew and "the government will seek to introduce a portion of [the] videotape recording of this event." Gov't Trial Brief, at 14, n.5.

In support of this motion, defendant states:

1. According to the government's Trial Brief, on the afternoon of July 13, 1995, "Serbs" moved "about 2,000 Muslim prisoners" onto a soccer field. General Mladic "spoke to the prisoners" and told them "they were going to be exchanged." According to the government, Mladic also stated that "the route to Tuzla was covered by Serbian military and that no one would get through it." Gov't Trial Brief, at 13-14.

2. The government has no evidence that Marko Boskic was

present for this speech, heard this speech or endorsed this speech. Indeed, all the evidence is to the contrary.

3. This speech is not relevant to any of the issues to be tried in this case.

4. This video will be needlessly distressing to jurors and make it difficult for them to focus on the matters at issue. It's probative value is virtually non-existent while its prejudicial impact is extraordinarily high.

Respectfully submitted,

/s/ Patricia Garin

Max D. Stern

BBO NO. 479560

Patricia Garin

BBO No. 544770

Stern, Shapiro, Weissberg
& Garin, LLP

90 Canal Street, Suite 500

Boston, MA 02114-2022

(617) 742-5800

Dated: June 12, 2006

G:\SSWG\BOSKIC\Trial Docs\video of general Mladic.wpd